

Notice of Allowability

Application No.

10/811,440

Examiner

Irakli Kiknadze

Applicant(s)

WENDT ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 10/30/2006.
2. ☒ The allowed claim(s) is/are 1,4,5,10,16,18,20,21, 37, 38 and 40-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20061127</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>3/21/05; 8/18/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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DETAILED ACTION

1. In response the Office action dated August 18, 2006 the Amendment has been received on November 10, 2006.

Claims 1, 10 and 36 have been amended.

Claims 1, 4, 10, 16, 18, 20, 21 and 36-42 are currently pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Kirk L. Deheck (Reg. No. 55,782) and Keith M. Baxter (Reg. No. 31,233) on November 27, 2006.

4. The application has been amended as follows:

In claim 10:

On line 5, change the phrase "response to detecting the first radiation exposure" to --response to detecting the first radiation exposure; a clock circuit providing a current

time signal; a storage circuit communicating with the first detector and the clock circuit to store the current time signal at the time of the first radiation exposure;--.

On line 6, change phrase "means for communication signal to a user" to --means for communicating the signal to a user including a wireless transmitter transmitting the signal as a wireless digital signal to a separate reader;--.

Cancel claims 36 and 39.

Allowable Subject Matter

5. Claims 1, 4, 5, 16, 18, 20, 21, 37, 38 and 40-42 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowed because prior art fails to teach or make obvious a radiation exposure device comprising: a storage circuit communicating with a first detector and a clock circuit to store a current time signal at the time a first radiation exposure; and a wireless transmitter receiving the stored current time from the storage circuit to transmit a wireless digital signal based upon a signal in response to detecting the first radiation exposure as claimed including all of the remaining limitations of the claim. Claims 4, 5, 16, 18, 20, 21, 41 and 42 are allowable by virtue of their dependence.

Claim 10 is allowed because prior art fails to teach or make obvious: a storage circuit communicating with a first detector and a clock circuit to store a current time signal at the time a first radiation exposure; and means for communicating the signal to a user including a wireless transmitter transmitting the signal as a wireless digital signal

to a separate reader as claimed including all of the limitations of the base claim and any intervening claims. Claims 37, 38 and 40 are allowable by virtue of their dependence.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

7. Applicant's arguments, see pages 5 and 6, filed November 10, 2006, with respect to claims 1, 4, 5, 16, 18, 20, 21, 37, 38 and 40-42 have been fully considered and are persuasive. The objection of claims 1, 4, 5, 16, 18, 20, 21, 41 and 42 has been withdrawn. The rejection of claims 10, 37, 38 and 40 has been withdrawn.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hayes et al. (US Patent 5,282,236) teaches a radiation exposure detection device but fails to teach an irradiation time detection system. Gilblom (US Patent 6,151,382) teaches a radiation exposure detection device wherein a first detector (40) is in the form of at least one of a sticker, a label and a card that is adhered to the

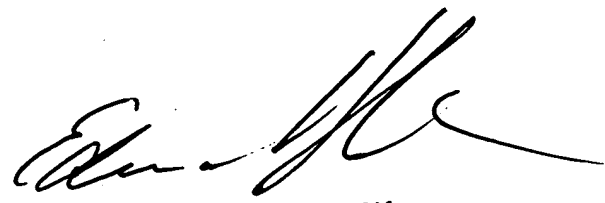
surface of the housing that partly surrounds a radiation exposure recording medium (20) but fails to teach an irradiation time detection system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irakli Kiknadze whose telephone number is 571-272-2493. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on 571-272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Irakli Kiknadze
November 27, 2006
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EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER